

## **Constructing the ideal victim in the United States of America's annual Trafficking in Persons Reports**

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## **Abstract**

Human trafficking as a global phenomenon continues to elude accurate quantitative measure, and remains a controversial policy domain significantly influenced by anecdotal evidence. Drawing on the policy analysis framework of Bacchi (1999; 2007) the problem representation of trafficking through narratives can be considered a direct antecedent of contemporary anti-human trafficking policy. This article explores the construction of human trafficking within the *Trafficking in Persons Reports*, published annually by the United States of America's Department of State. An examination of the victim and offender narratives contained within the reports published between 2001 and 2012 demonstrates that human trafficking is predominantly represented as a crime committed by ideal offenders against idealized victims, consistent with Christie's (1986) landmark criteria of ideal victimization. This representation of an ideal prototype has the potential to inform policy that diverts focus from the causative role of global socioeconomic injustice towards criminal justice policies targeting individual offenders.

**Keywords:** Human Trafficking, Policy, United States, Ideal, Victim, Problem Representation

## INTRODUCTION

Human trafficking is a social problem that has captivated the attention of multinational institutions, national governments, and individual researchers within the global community. Indeed, academics, legislators, service providers, and activists continue to engage in politically robust debate about the appropriate definition of, and policy response to, human trafficking. Despite a universal condemnation of the behaviour as an affront to the principles of justice, there remains a theoretical and epistemological divide between researchers who argue that human trafficking is a socially constructed phenomenon (e.g. Soderlund, 2005), and those who describe it as an objective and observable criminal behaviour (e.g. Farley, 2004). This definitional fissure has implications for the international policy response to the crime of human trafficking, both within a normative and practical context.

The corresponding narratives of human trafficking that these parties showcase, prevalent in media reporting and political forums, contribute to policy-makers' conceptualisation of the problem of trafficking. Indeed, the dissemination of only prototypical stories in the public realm helps to shape a certain construction of trafficking that prioritises specific types of victims, while ignoring those who do not conform to the prototype. Thus, recognising the extent to which public knowledge of human trafficking is socially constructed through these victim depictions is essential to shaping an effective anti-trafficking policy that addresses all, and not just some, of the human rights abuses perpetrated against victims.

This paper examines the United States of America's annual Trafficking in Persons Reports as a key contributor to knowledge and perception of human trafficking. The release of an annual report on other nations' efforts to address human trafficking was first mandated in the *Trafficking Victims Protection Act 2000*, and is one of the primary responsibilities of the U.S. State Department's Office to Monitor and Combat Trafficking in Persons. These documents provide a portrait of the changing landscape of human trafficking policy, as they annually rank

other nation states on their respective efforts to combat the crime. Since the first report was published in 2001, this document has allocated tier rankings indicating the success of other nations' in combating trafficking. Those nations who are deemed to be performing well are ranked as Tier 1, while those making significant efforts to improve performance are Tier 2. Those failing in their efforts are placed on the Tier 2 Watch List, while those not making efforts towards combating trafficking in their country are ranked as Tier 3. The U.S. Government threatens to impose economic sanctions on foreign states who fail to meet the minimum criteria as dictated by these rankings (Trafficking Victims Protection Act [TVPA] 2000, s.111). In addition to the tier rankings, this report also disseminates significant amounts of information about trafficking, reporting on the work of government agencies, NGOs and activists. Victims' stories are littered throughout the pages of the report, showcasing both the successes and failures of global efforts to combat human trafficking.

The depiction of certain types of trafficking victims, and also offenders, within the pages of these annually published documents helps to build and perpetuate a specific picture of the 'typical' trafficking victim. In this paper, we examine this depiction of victims in the Trafficking in Persons Reports published between 2001 and 2012 in order to better understand how these victims' stories contribute to the problem representation (Bacchi, 1999; 2007) of human trafficking. We begin with a discussion of the ways in which knowledge about human trafficking is politically represented, before moving on to an analysis of victim and offender depictions in the TIP Reports. We argue that through these reports the US Government has presented an idealised conception of victimisation, consistent with Nils Christie's (1986) paradigm in which the 'ideal victim' is weak and blameless. This construction of the 'ideal victim' as weak is achieved through a focus on the age, gender, and country of origin of victims, and an overt focus on trafficking for sexual exploitation. The depiction of offenders as deviant criminals, unknown to the victims, also helps to cement the image of an 'ideal victim'. In the final part of this paper, we begin to contemplate the potential impact of this representation on anti-trafficking policy,

arguing that these depictions of ideal victims contribute to a policy solution that prioritises border security and law enforcement over human rights.

## **PROBLEM REPRESENTATION IN PUBLIC POLICY**

The representation of problems in policy discourse has practical consequences for government, as language sets the agenda for political action. Political language is imbued with normative and empirical assertions, which influence the perception of individual citizens and collectively inform the dominant perspectives within society (van Dijk, 2006). Thus, problem representation directly contextualises social policy. Foucault (1977) was the first major thinker to recognise the intimate influence of language in determining social knowledge, and thus, constructing power relations within society. This view has been adopted by contemporary policy analysis scholars to explain the role of discourse in shaping government and inter-government policy. Broadly, these perspectives are united in the assertion that policy is not the product of technocratic or objective analysis; rather, policy is influenced by the political context and construction of social problems (e.g. Kingdon, 1995; Bacchi, 1999; Stone, 1989). As such, the study of political discourse is neither interchangeable with nor unrelated to external reality, as policy emerges from a politicised *representation* of this reality. It is these representations that are the immediately prior facts that inform public policy, not necessarily objective reality itself.

The policy responses to human trafficking in the domestic U.S. and global contexts have occurred within a highly dichotomised and ideologically-opposed debate. Thus, the present study is informed by the theoretical framework of Bacchi (1999, 2007) in exploring how ideological perspectives have informed the public policy agenda via defining the political problem of human trafficking. Bacchi (1999; 2007) argues that the ideal solution to a social problem is inherently linked with the representation of the issue within political discourse. Indeed, from this perspective, policymaking is not the development of a rational response to an objective social reality; rather, policies are implicit in the politicised representation of a social

problem. Thus, the problem representation approach recognises that the discursive framing of a social issue cannot be entirely separated from the subsequent policymaking process (Bacchi 1999, 21). This view explains how political problems are inherently plastic across time and location, and provides a theoretical framework for examining how policy language and discourse represents the problem of human trafficking.

## **THE PROBLEM REPRESENTATION OF HUMAN TRAFFICKING**

Problem representation within public policy requires that a social problem occupies a contested political space, where actors seek to define the problem itself. This is evident in the context of human trafficking policy, as social scientific research into human trafficking is plagued by a dearth of reliable quantitative data. Indeed, researchers can only provide a limited measure of the phenomenon. The 2012 TIP Report (2012, 7) provides an estimate of 27 million victims worldwide, based upon Bales' (1999) widely repeated figure. On the other hand, empirical social scientists assert that human trafficking involves a "hidden population" of criminals and victims (Tyldum & Brunovskis 2005, 18), which limits the capacity for accurate measurement of the extent, causes, and correlates of the crime. Goodey (2008, 424) goes so far as to proclaim that accurate quantitative data regarding human trafficking simply "does not exist". Attempts to quantify the extent of trafficking thus rely on the minority of observable cases detected by law enforcement; yet, these data likely suffer from severe selection biases (Tyldum & Brunovskis 2005, 30). Furthermore, data differs between jurisdictions due to fundamental disagreements over the legal definition of human trafficking, which further problematizes accurate measurement and comparison (Kangaspunta 2007, 30). Due to the lack of reliable statistical measures of human trafficking, individual nation-states and the international community largely rely on politically-influenced qualitative accounts of the phenomenon to inform knowledge and policy.

Coinciding with a lack of quantitative knowledge, the existing research into the causes, correlates, and extent of human trafficking is confounded by political narratives concerned with the role of the commercial sex industry as a causal factor. Neo-abolitionists construct the commercial sex industry as a causative variable, denying the distinction between sex purchased in a commercial transaction and the crimes of rape and human trafficking (Farley 2004, 1107). This relies on an argument that the marketization of sexual behaviours normalises the commodification of women's bodies, and thus fuels both the legitimate and illegitimate demand for commercial sex (Yen, 2008, 668). In contrast, non-abolitionist theorists argue that sex work is a fair market transaction (Weitzer 2007, 452-453), and may be the only viable form of labour for many women within a system of global socioeconomic inequality (Chuang 2010, 1702; Agustin, 2007). These researchers also question the methodological validity of studies that purport to demonstrate a causal relationship between commercial sex and human trafficking (O'Brien 2011, 552). Indeed, there exists a theoretical impasse between these perspectives, which construct the crime of human trafficking from different philosophical outlooks, and confound the overall understanding of the issue.

Consequential to this theoretical and methodological impasse, theorists have contended that the issue of human trafficking is largely socially constructed (Soderlund, 2005), recognising that broader political discourses underpin the problem representation. For example, O'Connell-Davidson (2010, 250) contends that the neo-abolitionist construction of human trafficking confounds sexual labour and migration issues with a fantastical discourse of modern slavery. This is supported by research by Saunders and Soderlund (2003), which reveals that there has been an historical relationship between increased female migration and empirically baseless moral panics concerning the trafficking of young women. The re-emergence of human trafficking within the political consciousness of the global community during the 1980s and 1990s also correlated with a global boom in economic migration for women, including increased participation in both formal and informal commercial sex work (Hayes, Carpenter, & Dwyer 2012, 104). Increased policy interest concerning human trafficking appears to positively

correlate with heightened female economic migration, suggesting that the problem representation of human trafficking may function to politically justify restricting the increasing global movement of women and shifting economic forces in world labour markets.

The problem representation of human trafficking, both within the global and domestic U.S. context, has been the focus of research over the last few years in an attempt to better understand how political discourses have influenced anti-human trafficking policy. O'Connell-Davidson (2010) observes that human trafficking is often connotatively compared with the historic slave trade through the use of the term modern slavery. Human trafficking as slavery is further connotatively linked through the common use of the term sexual slavery (Uy 2011, 209), underscoring a normative connection with the commercial sex industry. This use of language that relates human trafficking to slavery reflects a narrative of individual criminal behaviour, as offenders – often actors within the commercial sex industry – are represented as enslaving victims. This representation of human trafficking as a criminal justice issue has also been demonstrated in an analysis of media reports in the United States. Farrell and Fahy (2009) conducted a content analysis of media reports of human trafficking from 1990 to 2005, coding the language used to describe the behaviour across three different categories; human rights, criminal justice, and national security. Their analysis revealed that, since 2001, the dominant portrayal by the media has shifted from a human rights framework to a mixture of criminal justice and national security frameworks. This representation ignores the broader socio-economic context wherein human trafficking occurs, represents the issue as purely the cause of the pathological behaviour of individuals, and positions policy within the domain of criminal justice and national security.

Existing research demonstrates that the contemporary representation of human trafficking is as a modern form of slavery; and as a criminal offence committed by an offender against a victim. Thus, there is an overt focus on the victimisation process, especially where it is connotatively linked to the commercial sex industry. Hoyle, Bosworth and Dempsey (2011) and



O'Brien (2013) have demonstrated the extent to which trafficking victims' stories in the public domain are consistent with Nils Christie's (1986) seminal theory of the ideal victim. Christie's (1986, 19) theory acknowledges that ideal victims generate public sympathy by meeting the criteria of popularly conceived injustice; that a weak, respectable, and blameless victim is oppressed by a powerful and overbearing offender. This process of constructing an idealised form of victimisation may bolster public support for assistance and the provision of resources; however, it may also reinforce the representation of human trafficking as a criminal justice issue, constructing victims as passive agents of the criminal behaviour of offenders.

## **METHODOLOGY**

To further examine the problem representation of human trafficking through victim narratives, a content analysis of the U.S. Department of State's annual TIP Reports from 2001 to 2012 was conducted. The analysis enquired whether the United States' human trafficking policies were being justified within policy discourse consistent with Christie's (1986) ideal victimisation criteria. Specifically, we analysed both visual and written, victim and offender representations within the introductory sections of the TIP Reports. These narratives included any substantial story, including real or hypothetical victims or offenders, which serve to provide readers of the reports with a snapshot of the victimisation process. The data was subsequently coded into a spreadsheet, which included basic demographic details reflecting the criteria for ideal victimisation, first-person quotations, and any corresponding visual stimuli. It is important to note that in this research our purpose is not to challenge the validity, or diminish the severity, of the experiences of trafficking victims depicted in the TIP reports. Rather, our purpose is to consider how these chosen narratives contribute to wider understandings of human trafficking, and thus may influence policy.

The content analysis methodology serves to provide a structured approach to analysing the representation of victims and offenders within the TIP Reports' policy discourse. Consistent

with the standard process of content analyses within political and social science (Burnham, Lutz, Grant, Layton-Henry, 2008, 260), the manifest content of these narratives was analysed based upon pre-determined codes; in this case, criteria drawn from Christie's (1986) ideal victimisation theory. Following the work of Hoyle et al. (2013, 315) and O'Brien (2013), ideal victimisation may be operationalised via examining victim demographics such as age, sex, country of origin, and perceived culpability. Thus, criteria included victim age, sex, reasons for migration, country of origin, and subsequent trafficking type. Offender narratives were similarly coded for age, sex, and trafficking type. Basic demographic information, first-person quotations, and corresponding visual stimuli were also recorded for future reference. In sum, 361 unique victim narratives and 25 offender narratives were coded. The use of pre-determined criteria of selection strengthens the validity of coded manifest content, while the reliability of the manifest and projective analyses may be addressed through further replication (Potter & Levine-Dotterstein, 1999). As such, all criteria used to operationalise victim and offender narratives for the content analysis can be found in Tables 1 to 5. Descriptive statistics were generated to infer the overall pattern of problem representation based on the manifest content, while corresponding projective analysis explores the discursive strategies used to represent the problem of human trafficking within these narratives.

## VICTIM DEPICTIONS IN THE ANNUAL TRAFFICKING IN PERSONS REPORTS

Table 1 presents descriptive statistics of the 361 coded victim narratives within the TIP Reports from 2001 to 2012. The data suggests that young victims – operationalized as those described as young, children, or explicitly less than 18 years-old – account for 48.75% of overall represented victimisation, while a further 5.82% of narratives include both children in addition to adult victims. Additionally, female victims represent a considerably larger group (53.46%) compared with their male counterparts (33.52%). Therein, the largest demographic represented within the data was female youths, constituting 23.82% of all victim narratives. Where victims are explicitly identified as male, they are more likely represented as young (18.56%) compared to adult (11.63%).

Table 1.

*Percentage of victim narratives as a function age and gender*

	<b>Youth*</b>	<b>Adults</b>	<b>Various Ages</b>	<b>Unknown Age</b>	<b>Total</b>
<b>Male</b>	18.56%	11.63%	1.39%	1.94%	33.52%
<b>Female</b>	23.82%	19.94%	1.94%	7.76%	53.46%
<b>Both*</b>	5.26%	1.39%	2.49%	1.11%	10.25%
<b>Unknown</b>	1.11%	1.11%	0.00%	0.55%	2.77%
<b>Total</b>	48.75%	34.07%	5.82%	11.36%	100%

\*Operationalised as victims under 18 years old.

Table 2 presents the proportion of trafficking types that victim narratives describe. Evidently, sex trafficking constituted the largest single industry (32.96%), although miscellaneous labour industries do constitute a larger proportion of overall narratives (34.07%). This latter category included a variety of employment, including promised opportunities in modelling, textile factories, and manual labour.

Table 2.

*Victim narratives as a function of trafficked labour type*

<b>Labour Type</b>	<b>Number of Narratives</b>	<b>Percentage of Narratives</b>
Sex Industry	119	32.96%
Sexual and Other	18	4.99%
Domestic Slavery	24	6.65%
Fishing Industry	16	4.43%
Other Forced Labour	123	34.07%
Child Soldiering	11	3.05%
Child Begging	12	3.32%
Unknown	38	10.53%
<b><i>Total</i></b>	<b>361</b>	<b>100%</b>

Table 3 demonstrates that, where information about a victim's country of origin is provided, the most common regions include Asia (26.87%), Africa (8.86%), and Eastern Europe (6.37%). This contrasts sharply with a single victim from the United States (0.28%) and the explicit absence of victims from Western Europe, Australia, and Canada.

Table 3.

*Victim narratives as a function of victim region of origin.*

<b>Region of Origin</b>	<b>Number of Narratives</b>	<b>Percentage of Narratives</b>
Africa	32	8.86%
Asia	97	26.87%
Central America	9	2.49%
Eastern Europe	23	6.37%
Middle East	2	0.55%
North America	1	0.28%
South America	7	1.94%
Russia	6	1.66%
Unknown	184	50.97%
<b>Total</b>	<b>361</b>	<b>100%</b>

Table 4 presents further coded content examining victims' reasons for migrating (where they voluntarily cross borders) as a function of either age or sex. The majority of narratives omit the reason for victim migration (58.72%), or where provided, describe victims as moving for other employment, education, or personal reasons (32.13%), or via unwilling methods such as kidnapping or being sold by family members (8.86%). This contrasts sharply with a single narrative (0.28%) describing an adult woman

migrating to voluntarily work within the commercial sex industry. Narratives of young victims are less likely to involve an initial reason for migration compared with adult victims (30.47% to 18.28%), while female victim narratives are proportionally more likely to provide another reason for migration (24.93% to 28.25%), compared with male victims (13.02% to 20.50%).

Table 4.

*Reason for migration as a function of age and sex.*

	<b>Sex Industry</b>	<b>Other*</b>	<b>Unwilling**</b>	<b>No Reason</b>	<b>Total</b>
<b>Young</b>	0.00%	11.36%	6.93%	30.47%	48.75%
<b>Adult</b>	0.28%	14.40%	1.39%	18.01%	34.07%
<b>Various Ages</b>	0.00%	1.11%	0.28%	4.43%	5.82%
<b>Unknown</b>	0.00%	5.26%	0.28%	5.82%	11.36%
<b>Total (Age)</b>	0.28%	32.13%	8.86%	58.73%	100%
<b>Male</b>	0.00%	9.70%	3.32%	20.50%	33.52%
<b>Female</b>	0.28%	20.78%	4.16%	28.25%	53.47%
<b>Both Sexes</b>	0.00%	1.11%	0.83%	8.31%	10.25%
<b>Unknown</b>	0.00%	0.55%	0.55%	1.66%	2.77%
<b>Total (Sex)</b>	0.28%	32.13%	8.86%	58.73%	100%

\*Any other employment, educational, or personal reason

\*\*Includes victims sold by family members or kidnapped by third party

Finally, Table 5 provides descriptive data for the 25 coded offender narratives. In particular, it is evident that offenders are overwhelmingly male (76%) and involved in sex trafficking as either a facilitator or consumer (64%). A sizable minority of offenders are

depicted as enslaving children as soldiers (20%) or committing other labour trafficking offences (12%).

Table 5

*Offender narratives as a function of sex and trafficking type.*

Offender Type	Number of Narratives	Percentage of Narratives
Male	19	76%
Female	3	12%
Unknown	3	12%
<b>Total</b>	25	100%
Sex Trafficker	19	64%
Child Soldiering	5	20%
Labour Trafficking	3	12%
Unknown	1	4%
<b>Total</b>	25	100%

These descriptive statistics provide an overview of the demographics of victims presented in the TIP Reports, which are broadly consistent with the operationalization of Christie's (1986) ideal victims. A projective content analysis of the prototypical victim narratives, suggested by the quantitative data, was also conducted. Broadly summarised, trafficking victims are overwhelmingly represented as ideal; they are depicted as weak due to their status as young women or girls, and their origin from regions of the global south. Secondly, an overt focus on trafficking for sexual exploitation, where victims initially migrate for completely unrelated reasons, contributes to the construction of victims as both weak and naïve, with a strong emphasis on the 'blamelessness' of those victimised. Finally, this is further

strengthened by the depiction of offenders as prototypical deviants who are unknown to their victims.

### ***Trafficking victims are depicted as weak***

The victim narratives within the annual TIP Reports from 2001 to 2012 are broadly consistent with Christie's (1986) criteria for ideal victims. These criteria include that the victim is physically weak, blameless, and that they were carrying out a respectable activity at the time of victimisation (Christie 1986, 19). Specifically, within the TIP reports, victims are represented as weak on the basis of their age, sex, and ethnicity.

The descriptive statistics demonstrate that 23.82% of all victims depicted in the TIP Reports are represented as young and female, a relative over-representation compared to any other explicit victim group. Adult women also constituted the second most common victim group with a further 19.94% of narratives depicting only female victims. Furthermore, this representation of the weak, naïve, and helpless woman succumbing to exploitation and abuse also emanates from the qualitative data. Visual discourses are abundant within the reports, and are used to powerfully depict the victimisation of the weak and innocent. In one such narrative, a pair of small, pink sandals is shown outside the doors of a Cambodian brothel to "provide a reminder of the youngest victims exploited there" (TIP Report 2010, 11). Young women and girls are commonly used in other visual discourses as a prototypical victim, whether they are shown enduring harsh living conditions (e.g. TIP Report 2012, 6), depicted as being solicited for child prostitution (e.g. TIP Report 2008, 15), or suffering under physical labour due to debt bondage (e.g. TIP Report 2005, 25). These representations certainly reinforce the characterisation of victims as weak and helpless, with comparatively few descriptions or depictions of resistance, in the face of human trafficking.

An alternative theme to emerge from the victim narratives is the demographic of young boys being coerced, threatened, or enslaved into child soldiering or begging. Young males



constitute the third most common category of victims (18.56%), consistent with the aforementioned discourse of helplessness as operationalised as youthfulness. Narratives such as that of Malik (TIP Report 2009, 9), a twelve year-old boy from Niger who was trafficked to Mali by his Koranic teacher, portray a passive agent being enslaved by a deviant other. Child soldiers are also a common theme within the narratives, often accompanied by images of young boys dressed in military wear holding large weapons. Ali and Lucien (TIP Report 2009, 19-20) are described as being coerced via threats to their family and abducted while attending school. Their narratives are accompanied by children's drawings of their experiences of war. In another image, two unnamed young boys – child soldiers in Burma – are depicted sitting next to a large machine gun (TIP Report 2008, 23); the size of the weapon contrasting sharply with the youthful stature of the military-gearred children. These narratives perpetuate the image of victimisation as an absolute state of enslavement of society's most vulnerable members – children, which further represents human trafficking as a political problem requiring urgent policy action.

### ***The blamelessness of victims is emphasised***

Victims of sex trafficking within the TIP Reports are overrepresented compared to any other lone industry, and are consistently depicted as innocent young women or girls deceived into sexual labour. This construction of sex work as a universally involuntary behaviour removes any blame that may be attributed to a victim seeking to work within the commercial sex industry. Again, this construction of passivity and blamelessness is a key criterion of Christie's (1986, 19) ideal victimisation. For example, among the 361 coded victim narratives, only one presents the victim as voluntarily seeking to engage in sex work (TIP Report 2004, 9). This narrative depicts Deng, a Thai national who migrated to Australia to voluntarily work as a prostitute, being enslaved via debt bondage. The remaining 360 narratives include either a victim seeking "legitimate" educational or non-sexual labour opportunities, being kidnapped or sold, or omitting the reason for the victim's movement. This simultaneously asserts that victims

are blameless, while also reinforcing that they were carrying out a “respectable” activity at the time of victimisation, another of Christie’s (1986) criteria for ideal victimhood. In contrast, these features of ideal victimisation are broadly inconsistent with available qualitative data regarding the interaction of personal agency, sex work, and migration (Weitzer 2007, 453), which reaffirm that many victims of human trafficking are aware that they will be working in the commercial sex industry, but are nonetheless exploited. Instead, the TIP Reports represent victims as entirely unaware of their prospective involvement in commercial sex work, and thus, as wholly blameless and respectable individuals.

Underpinning this construction of ideal victims are further discourses of race and ethnicity. Indeed, non-Western foreign women are commonly constructed as passive victims of the industrialised world (Bernstein 2010, 63; Desyllas 2007, 71); and the representations within the TIP Reports can be described as consistent with this theme. The contentious aspect of this depiction is not the over-representation of women from developing nations among victim demographics; rather, it is that the chosen narratives depict foreign women as passive actors, incapable of consenting to work within both sexual and non-sexual labour markets. For example, a prototypical narrative is found in the story of Katya, who is described as a young woman from Eastern Europe entering the U.S. under a student visa program. Katya is initially described as “dream[ing] of learning English and visiting the United States” (TIP Report 2010, 22); yet, her supposed naivety is revealed when her passport is confiscated and she is forced to work as a dancer (TIP Report 2010, 22). Another victim is Susie – a Kenyan national – who is described as initially being in “high spirits” believing she would be visiting her boyfriend in Germany, only to be sexually enslaved and physically abused (TIP Report 2007, 14). These narratives depict foreign women migrating under the pretence that they are seeking “legitimate” economic or social opportunities, thus rendering them as blameless. Yet, this ignores the vast number of victims who attempt to achieve socioeconomic advancement through consensual employment in the commercial sex industry, further establishing an unrealistic and idealised conception of victimisation.

The ideal victim narrative also facilitates the universal representation of sex workers as the subjugated victims of human traffickers. Indeed, researchers such as Srikantiah (2007, 197) contend that the narratives of ideal victimisation within the trafficking debate have been co-opted to deny the personal agency of legitimate sex workers. Proponents of this view typically construct all sex workers as the victims of physical and psychological manipulation (e.g. Farley, 2004), arguing that commercial sex work is analogous to rape. Musto (2009, 285) theorises that, where there is no evidence of physical force, personal agency may still be denied by labelling sex workers with a pseudo-psychological incapacity to exercise rational agency. Importantly, although sex work is often a rational choice for women from disadvantaged backgrounds, the dominant representation within policy and popular discourse is that violence, human trafficking, and sex work are inherently related issues (Saunders 2005, 350-353). The TIP Report narratives perpetuate this dominant representation, as they depict commercial sex work occurring only as the result of brutality and subjugation. One narrative describes Maryam (TIP Report 2007, 20), a seventeen year-old Kazakhstani girl who travelled to Russia under the pretence of working as a shop assistant:

"I refused by saying that I wouldn't be a prostitute. I was punished for that. I was beaten up, raped, and starved. In five days I gave up." (TIP Report 2007, 20).

This presents the ideal victim scenario: a young, foreign girl believing that migration to the industrialised world will improve her socioeconomic conditions; yet, the message is that this belief is naïve and misguided, as she is instead brutally coerced into the commercial sex industry. Maryam's lack of consent to sex work is emphasised as a key aspect of the story, demonstrating not only her weakness, but also her blamelessness. Another example is Noi, a fifteen year-old Thai girl promised a job waitressing in Japan (TIP Report 2004, 13-14). Again,

upon arrival, she was instead forced to work as a prostitute and repeatedly subjected to rape, beatings, debt bondage, and multiple forced abortions. These narratives have discursively conflated the representations of consensual sex work with human trafficking, thus underpinning a neo-abolitionist policy agenda that demonises the activities of the commercial sex industry within a criminal justice policy framework.

### ***The ideal offender is deviant and unknown***

The presence of an ideal victim necessitates the presence of an ideal offender, who Christie (1986, 19) theorised was unknown to, and “big and bad” relative to, the victim. Indeed, the TIP Report offender narratives are generally consistent with this perspective. Firstly, the commercial sex industry as a whole is often implicated as a direct causative factor of human trafficking. More specifically, the demographics of represented offenders are overwhelmingly male and all middle-aged. This construction of an older, male offender stands in contrast to the idealised, young and female victim. Furthermore, in a minority of narratives, these ideal offenders are also popularly depicted as warmongers who enslave child soldiers.

At a broad level, the offender depictions within the TIP Reports criminalise the entire commercial sex industry. Individual victims and offenders are disproportionately represented as involved in sex trafficking, despite contemporary recognition that there is no clear measure of the respective scope of either sexual or labour trafficking (Zhang 2012). Regardless, trafficking into the commercial sex industry constitutes 32.96% of all victim narratives from 2001 to 2012, significantly higher than any other single industry. Additionally, a further 4.99% of narratives include a mixture of sex and labour trafficking. Together, these narratives directly target the industry as a whole, criminalising consumers of legal sexual services. For example, a repeated theme is to showcase billboard advertisements for the purchase of commercial sex (e.g. TIP Report 2005, 10; 2006, 10). One photograph shows a brothel advertisement in Japan, with a caption reading that “[t]olerance of the commercial sex industry has made Japan one of

the world's top destinations for sex trafficking of foreign women." (TIP Report 2006, 10). Both the quantitative over-representation, and the qualitative implication, of the commercial sex industry in these narratives reinforces the belief that the industry is directly culpable for human trafficking, and affirms the contention that sex workers are devoid of legitimate agency.

The ideal offender, as an individual, is constructed as diametrically opposed to the young female victim of sex trafficking. Indeed, the majority of offender narratives concerned consumers or facilitators of sex work. These offenders are often presented, both visually and descriptively, as wealthy, Western, and middle-aged consumers of child sex tourism in developing countries (e.g. TIP Report 2006, 6; 2008, 14). An effective example can be found within the 2008 TIP Report (p. 36), where an unnamed offender is shown walking next to a young Kenya girl on a beach. The middle-aged man's large, Caucasian body contrasts starkly with the small frame of the young African girl. This image is not uncommon, as in another example a young girl is shown clinging to the arm of an older woman talking with a Western man (TIP Report 2007, 10). The corresponding caption reads:

"A Western man negotiated for the young Thai girl, while she clutched the arm of her trafficker. After settling on the price, the man left with the young girl, and the trafficker left with the payment." (TIP Report 2007, 10).

This is the ideal offender to compliment the representation of the ideal victim of sex trafficking; a young woman or girl, trafficked into prostitution, is exploited by wealthy Western consumers of the sex industry. Importantly, this perpetuates a myth that all facilitators and consumers are the "personification of evil" (Weitzer 2007, 452), allowing the commercial sex industry to be overtly criminalised. Overall, the construction of these ideal offenders clouds the structural and

socioeconomic causes of human trafficking, and perpetuates the recognition of human trafficking as a criminal justice issue, as opposed to an economic and political human rights issue.

A final ideal offender complements a different ideal victim, although this construction is substantially less common among the reports. This ideal offender is an enslaving warmonger, who contrasts against the ideal victimisation of child soldiers. Although they only constitute a minority of depictions, they still number as the second most common offenders after consumers of the commercial sex industry. An important difference is that these individuals are specifically named, which contrasts with the general anonymity of the ideal offenders of sex trafficking. High profile narratives such as that of Thomas Lubanga (TIP Report 2007, 21) and Charles Taylor (TIP Report 2012, 36-37) reinforce the narrative that human trafficking is committed by remorseless offenders who will enslave innocent and blameless children. These men are all visually depicted as stern, imposing, and generally disinterested in the welfare of their soldiers, further reinforcing their status as “big and bad” relative to the diminutive depictions of child victims.

## **POLICY IMPLICATIONS OF IDEAL VICTIMISATION**

The TIP Reports’ representations of human trafficking victims and offenders clearly conform to Christies’s (1986) notion of the ideal. This determination is not without practical consequence, as public policy is ultimately influenced by the discursive representation of social issues (Bacchi 1999; 2007). In this section of the paper we consider the practical implications of ideal victim and offender narratives for victim service delivery, criminal justice policies targeting trafficking, and broader human migration and national security concerns.

### ***Practical policy implications of ideal victim representation***

The social problem of human trafficking has been represented as a criminal justice issue, where ideal victims' rights are impinged by deviant offenders. This normative construction of a complex issue has practical implications for the international community's policy responses. For example, research by Hoyle, Bosworth and Dempsey (2011) found that where victim identification is based on idealised conceptions of victimisation, frontline victim services may be restricted to a minority of victims who meet the strict criteria. Similarly, in a study by Segrave, Milivojevic, and Pickering (2009), interviews with victim service providers from Australia, Thailand, and Serbia, revealed that worker discretion for victim identification relies upon highly gendered discourses of ideal victimisation. For women to be subjectively construed as victims, they needed to be seen as the passive prey of human traffickers, as the exercise of personal agency raises doubts concerning their legitimacy (Segrave, Milivojevic, & Pickering 2009, 50-51). Indeed, this is consistent with the representation of ideal victims of trafficking within the TIP Reports; as passive young women who are deceived by deviant others. Paradoxically, broad definitions of human trafficking as analogous to sex work have also resulted in rescue raids that identify autonomous sex workers as passive victims (Soderlund 2005). Thus, the criminalisation of the entire commercial sex industry has allowed legitimate sex workers to be pseudo-psychologically denied personal agency (Musto 2009). The identification of legitimate victims of human trafficking is therefore impacted by idealised representations of victimisation, as the strict criteria may simultaneously exclude legitimate victims and include autonomous workers.

Simultaneously, this political preoccupation with the morality of commercial sex has diverted policy resources from the victims of non-sexual labour trafficking. In the present study, both the quantitative and qualitative data suggest a discursive focus on the sex industry among victim narratives; a trend identified as diverting policy attention away from the multitude of other industries plagued by human trafficking (Goodey 2008, 435). Indeed, even in the absence of consensus among feminist scholars and activists regarding the role of commercialised sex,

there is no justification for the comparative absence of labour trafficking victim services and policy (van der Anker, 2006). Again, this is not inconsequential, as controlling the political narrative of human trafficking influences the control of material policy solutions. O'Brien, Hayes, & Carpenter (2013, 178-195) highlight how the accepted narrative of human trafficking as sexual exploitation justified the selective provision of funding and resources to neo-abolitionist service providers under the administration of President George W. Bush. Overall, apart from the debate about the moral appropriateness of a legalised sex industry, the narrative preoccupation with sex trafficking leaves victims of other forms of trafficking as unjustifiably vulnerable.

Regardless of the industry, the problem of human trafficking has been largely represented through the TIP report narratives as a criminal justice and national security issue that, consistent with Bacchi's (1999) theory of problem representation, prompts specific law and order and foreign policy responses. Through constructing the victims of human trafficking as entirely passive actors that lack rational agency, states can position themselves as patriarchal protectors of the weak and innocent, thereby expanding their internal and external policing powers (Desyllas, 2007, 65). Victim narratives such as that of Rathana (TIP Report 2010, 19) depict passive victims of sexual slavery being rescued by a patriarchal state in systematic rescue raids on brothels. This allows wealthy states to maintain the global imbalance of economic and political capital, as human migration from impoverished states to wealthy states is conflated with human trafficking via a fantastical narrative of deception and exploitation (Hayes, Carpenter, & Dwyer 2012, 115). The mixing of these narratives of migration and trafficking has also led to the criminalisation of non-ideal victims as "queue-jumpers" who should "go back to where [they] belong" (Sharma 2005, 92). Still, so-deemed "legitimate" victims of human trafficking are also repatriated, thus justifying strict sovereign control of borders between the global north and south (Segrave 2009, 255). In this way, the ideal victim narrative has been co-opted to strengthen immigration policies within the wealthy states of the global north, reinforcing the concept of sovereignty amidst expanding economic globalisation.



This combination of criminal justice and national security discourses has also been co-opted to justify broader ideological foreign policy goals. In an analysis of the implications of the discourses of human trafficking on U.S. foreign policy, Soderlund (2005, 79) notes that the discursive connection between sex work and human trafficking, embedded within the TVPA and the TIP Reports, has been employed to advance the global eradication of commercial and non-procreative sex. Indeed, the blanket criminalisation of the commercial sex industry through the victim and offender narratives, as well as the comparative overrepresentation of sex trafficking, lends credence to this conjecture. Furthermore, the vague guidelines used by the U.S. within the TIP Reports, to rank other states' attempts to prevent human trafficking, has led to speculation that the TIP Reports exist solely to advance U.S. interests internationally, thereby reinforcing the global socioeconomic status quo (Desyllas 2007, 70). This speculation is not unfounded. Chuang (2006, 474-480) notes that the ranking system within the TIP Reports is inconsistent across time, predicated on unreliable secondary data sources, and blatantly favours allies, and punishes political opponents, of the U.S. within the global community. The use of the TIP Reports, and therefore the issue of human trafficking, to advance other foreign policy ends, has led Soderlund (2005, 68) to remark that the George W. Bush administration used the issue to "give a human face to the war against terrorism" while simultaneously advancing conservative moral values abroad. Thus, the representation of the problem of human trafficking as a crime perpetuated against idealised victims has also facilitated a morally conservative foreign policy agenda, far removed from the ultimate causes of the problem.

## **CONCLUSION**

The annual Trafficking in Persons reports offer a snapshot not only of how the problem of trafficking is represented, but also of how this representation is employed to justify broader policy agendas. This research examined these narratives in the TIP Reports from 2001 to 2012, revealing an often simplistic and ideal construction of the issue. Specifically, victims are represented consistent with Christie's (1986) conceptualisation of the ideal victim. Indeed, they

are disproportionately represented as young women or girls, or alternatively, as young boys, to position victims as prototypically weak and helpless. Furthermore, these victims are constructed as respectable and passive agents (and thus 'blameless') exploited by diametrically-opposed ideal offenders. The narratives construct victimisation as occurring predominantly within the commercial sex industry, which is overtly criminalised as a facilitator of sex trafficking. These representations have practical policy implications, as has been witnessed in other areas where ideal narratives are prioritised (Hoyle, Bosworth, & Dempsey 2011; Segrave, Milivojevic, & Pickering 2009). Ideal victimisation, ideal offenders, and the criminalisation of the commercial sex industry have evidently impacted trafficking victim identification and victim service provision, justified the strengthening of internal and external border controls and migration processes, and finally, allowed the U.S. Government to unilaterally influence the moral and legal status of the commercial sex industry within sovereign nation-states. The scope for widespread policy ramifications underscores the importance of further scrutinising the narrative behind political understandings of human trafficking.

## REFERENCE LIST

- Agustin, L. (2007). *Sex at the Margins: Migration, Labour Markets and the Rescue Industry*. London: Zed Books.
- Bacchi, C. L. (1999). *Women, Policy and Politics: The Construction of Policy Problems*. London, UK: Sage Publications.
- Bacchi, C.L. (2007). "The ethics of problem representation: widening the scope of ethical debate." *Policy and Society*, 26(3), 5-20.
- Bales, K. (1999). *Disposable people: new slavery in the global economy*. Berkeley, California: University of California Press.
- Bernstein, E. (2010). "Militarized humanitarianism meets carceral feminism: the politics of sex, rights, and freedom in contemporary antitrafficking campaigns." *Signs*, 36(1), 45-71. doi:10.1086/652918.
- Burnham, P. (2008). *Research methods in politics* (2nd ed.). Basingstoke: Palgrave Macmillan.
- Christie, N. (1986). 'The Ideal Victim' in E. Fattah (ed.) *From Crime Policy to Victim Policy: Reorienting the Justice System*, Basingstoke: Palgrave Macmillan.
- Chuang, J. (2006). "The United States as global sheriff: using unilateral sanctions to combat human trafficking." *Michigan Journal of International Law*, 27, 437-494.
- Chuang, J. A. (2010). "Rescuing trafficking from ideological capture: prostitution reform and anti-trafficking law and policy." *University of Pennsylvania Law Review*, 158(6), 1655-1728.
- Desyllas, M.C. (2007). "A critique of the global trafficking discourse and U.S. policy." *Journal of Sociology & Social Welfare*, 34(4), 57-79.

- Farley, M. (2004). "Bad for the body, bad for the heart': prostitution harms women even if legalized or decriminalized." *Violence Against Women*, 10, 1087-1125. doi: 10.1177/1077801204268607
- Farrell, A. & Fahy, S. (2009). "The problem of human trafficking in the U.S.: public frames and policy responses." *Journal of Criminal Justice*, 37, 617-626. doi:10.1016/j.jcrimjus.2009.09.010
- Foucault, M. (1977). *Discipline and Punish: The Birth of the Prison*. London, UK: Penguin Books.
- Goodey, J. (2008). "Human trafficking: sketchy data and policy responses." *Criminology and Criminal Justice*, 8(4), 421-442. doi: 10.1177/1748895808096471
- Hayes, S. Carpenter, B. & Dwyer, A. (2012). *Sex, Crime & Morality*. New York, NY: Routledge.
- Hoyle, C. Bosworth, M. & Dempsey, M. (2011). "Labelling the victims of sex trafficking: exploring the borderland between rhetoric and reality." *Social and Legal Studies* 20(3), 313-329. doi:10.1177/0964663911405394.
- Kangaspunta, K. (2007). "Collecting Data on Human Trafficking: Availability, Reliability and Comparability of Trafficking Data' in Savona and Stefanizzi (Eds.) *Measuring Human Trafficking: Complexities and Pitfalls*. New York: Springer.
- Kingdon, J. (1995). *Agendas, Alternatives, and Public Policies*. New York, NY: HarperCollins College Publishers.
- Musto, J.L. (2009). "What's in a name? Conflations and contradictions in contemporary U.S. discourses of human trafficking." *Women's Studies International Forum*, 32, 281-287. doi:10.1016/j.wsif.2009.05.016

- O'Brien, E., Carpenter, B., & Hayes, S. (2013). "Sex trafficking and moral harm: politicised understandings and depictions of the trafficked experience." *Critical Criminology: International Journal*, April. doi:10.1007/s10612-013-9183-6
- O'Brien, E. (2011). "Fuelling traffic: abolitionist claims of a causal nexus between legalised prostitution and trafficking." *Crime, Law and Social Change*, 56, 547-565. doi:10.1007/s10611-011-9334-1
- O'Brien, E. (2013). "Ideal victims in trafficking awareness campaigns." In *Crime, Justice and Social Democracy: International perspectives*, edited by Kerry Carrington, Matthew Ball, Erin O'Brien, and Juan Tauri, 315-326. Palgrave MacMillan.
- O'Connell-Davidson, J. (2010). "New slavery, old binaries: human trafficking and the borders of 'freedom'." *Global Networks*, 10(2), 244-261.
- Potter, W.J., & Levine-Donnerstein, D. (1999). "Rethinking validity and reliability in content analysis." *Journal of Applied Communication Research*, 27(3), 258-284. doi:10.1080/00909889909365539
- Saunders, P. & Soderlund, G. (2003). "Threat or opportunity: Sexuality, gender and the ebb and flow of trafficking as discourse." *Canadian Woman Studies*, 22, 35-46.
- Saunders, P. (2005). "Traffic violations: determining the meaning of violence in sexual trafficking versus sex work." *Journal of Interpersonal Violence*, 20, 343-360. doi: 10.1177/0886260504272509
- Segrave, M. (2009). "Order at the border: the repatriation of victims of trafficking." *Women's Studies International Forum*, 32, 251-260. doi: 10.1016/j.wsif.2009.05.006
- Segrave, M., Milivojevic, S., & Pickering, S. (2009). *Sex Trafficking: International Context and Response*. Portland, OR: Willan Publishing.

- Sharma, N. 2005, "Anti-trafficking rhetoric and the making of a global apartheid." *NWSA Journal*, 17(3): 88-111.
- Soderlund, G., (2005). "Running from the rescuers: new U.S. crusades against sex trafficking and the rhetoric of abolition." *NWSA Journal*, 17, 64–87.
- Srikantiah, J. (2007). "Perfect victims and real survivors: The iconic victim in domestic human trafficking law." *Boston University Law Review*, 87(1), 157-211.
- Stone, D. (1989). "Casual stories and the formation of policy agendas." *Political Science Quarterly*, 104(2), 281-300.
- Tyldum, G., & Brunovskis, A. (2005). "Describing the unobserved: methodological challenges in empirical studies on human trafficking." *International Migration*, 43(1/2), 17–34.
- U.S. Department of State. (2004). *Trafficking in Persons Report 2004*. Accessed <http://www.state.gov/j/tip/rls/tiprpt/2004/index.htm>
- U.S. Department of State. (2006). *Trafficking in Persons Report 2006*. Accessed <http://www.state.gov/j/tip/rls/tiprpt/2006/index.htm>
- U.S. Department of State. (2007). *Trafficking in Persons Report 2007*. Accessed <http://www.state.gov/j/tip/rls/tiprpt/2007/index.htm>
- U.S. Department of State. (2008). *Trafficking in Persons Report 2008*. Accessed <http://www.state.gov/j/tip/rls/tiprpt/2008/index.htm>
- U.S. Department of State. (2009). *Trafficking in Persons Report 2009*. Accessed <http://www.state.gov/j/tip/rls/tiprpt/2009/index.htm>
- U.S. Department of State. (2010). *Trafficking in Persons Report 2010*. Accessed <http://www.state.gov/j/tip/rls/tiprpt/2010/index.htm>

- U.S. Department of State. (2012). *Trafficking in Persons Report 2012*.  
<http://www.state.gov/j/tip/rls/tiprpt/2012/index.htm>
- Uy, R. (2011). "Blinded by red lights: why trafficking discourse should shift away from sex and the "perfect victim" paradigm." *Berkeley Journal of Gender, Law & Justice*, 26, 204-219.
- Van Dijk, T.A. (2006). "Ideology and discourse analysis." *Journal of Political Ideologies*, 11(2), 115-140.
- Victims of Trafficking and Violence Protection Act (US). 2000. Accessed September 24, 2013  
<http://www.state.gov/j/tip/laws/61124.htm>
- Weitzer, R. (2007). "The social construction of sex trafficking: ideology and institutionalization of a moral crusade." *Politics & Society*, 35, 447-475.
- Yen, I. (2008). "Of vice and men: A new approach to eradicating sex trafficking by reducing male demand through educational programs and abolitionist legislation." *The Journal of Criminal Law & Criminology*, 98(2), 653-686.
- Zhang, S.X. (2012). "Measuring labor trafficking: a research note." *Crime, Law and Social Change* 58, 469-482. doi: 10.1007/s10611-012-9393-y.